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REPORT OF THE SECRETARY-GENERAL ON THE ACTIVITIES OF THE CO-CHAIRMEN OF THE STEERING COMMITTEE OF THE INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA

Introduction

1. The present report deals with the activities of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia since the issuance of the report of the Secretary-General of 26 March 1993 (S/25479).

I. THE SITUATION IN BOSNIA AND HERZEGOVINA

2. The Co-Chairmen have continued their efforts to help alleviate the humanitarian situation in Bosnia and Herzegovina; to persuade the Bosnian Serb side to sign the two remaining documents of the peace plan; and to prepare for the implementation of the peace plan upon completion of signature.

3. Between 21 and 25 April, Lord Owen accompanied by Mr. Vance's Special Adviser, led a delegation on behalf of the Co-Chairmen to the area of the former Yugoslavia. On Wednesday, 21 April, Lord Owen had a one-hour meeting at Zagreb airport with the Croatian Defence Minister, Gojko Susak. Talks focused on the fighting in central Bosnia and Herzegovina between Bosnian Croats and Bosnian government troops.

4. Lord Owen went on to Belgrade that day for a two-hour meeting with the President of the Federal Republic of Yugoslavia, Dobrica Cosic. Detailed discussions were held on the "throughway concept". Lord Owen then met with President Slobodan Milosevic, particularly concentrating on the issue of the map and the northern corridor. With his military adviser, and the UNPROFOR military adviser to the Conference, he met for three hours with General Ratko Mladic.

5. Later that evening Lord Owen had a further meeting with President Cosic and President Milosevic, who were joined by Dr. Radovan Karadzic, leader of the Bosnian Serbs.

6. On Thursday, 22 April, Lord Owen's programme focused on the situation between the Republic of Greece and the Former Yugoslav Republic of Macedonia,

meeting with President Gligorov in Skopje and Prime Minister Mitsotakis in Greece. On Friday, 23 April, he flew to Skopje to see President Gligorov again, and then flew to Montenegro for a meeting with President Bulatovic. Later, he met President Milosevic in Belgrade.

7. On Saturday, 24 April, Lord Owen had a meeting with the Bosnian Serbs in a session lasting over three hours, which was attended on the Bosnian Serb side by Dr. Karadzic, the Bosnian Serb "Assembly" President Momcilo Krajisnik and General Mladic. Subsequently, he met again with Presidents Cosic and Milosevic.

8. Lord Owen left Belgrade on Saturday afternoon, arriving in Zagreb at about 3 p.m. He then held a series of meetings, the first with Croatian Defence Minister Susak and the Bosnian Croat leader, Mr. Mate Boban. The problem of central Bosnia was discussed, along with the possibility of instituting a military arrangement to reduce the tension between the two allied forces.

9. Lord Owen met at 5 p.m. that day with the President of Bosnia and Herzegovina, Alija Izetbegovic. Lord Owen then proceeded to the residence of the President of the Republic of Croatia, Franjo Tudjman, where he had a round of talks with Mr. Tudjman, Mr. Boban, the Croatian Defence Minister and other ministers. A second round of talks was held at 9 p.m., with the addition of President Izetbegovic. That session produced, at about 1 a.m., a cease-fire agreement, including an agreement between the two military leaders on the coordination of efforts to eliminate conflict between their forces in central Bosnia (annex I).

10. On Sunday morning, 25 April, Lord Owen met with the UNPROFOR Force Commander, Lieutenant-General Lars-Eric Wahlgren, in a two-hour meeting to discuss the implementation of the Vance-Owen plan.

11. At midday Sunday, Lord Owen returned to Belgrade at the request of President Cosic and President Milosevic. President Bulatovic also joined the group, for a meeting that lasted more than six hours. Halfway through the meeting, the group was joined by Dr. Karadzic and Mr. Krajisnik, whose Bosnian Serb "Assembly" was due to consider and vote on the peace plan. Lord Owen stayed overnight in Belgrade and that night Presidents Cosic, Milosevic and Bulatovic wrote a letter to the Bosnians urging them to accept the peace plan. At 6 a.m. Monday, 26 April, the "Assembly" did not accept the peace plan, but decided to put the issue to a referendum. Lord Owen visited Bonn, Copenhagen, London and Paris before returning to New York on Wednesday, 28 April.

12. The Co-Chairmen then continued their efforts to persuade the Bosnian Serb side to sign the outstanding two documents of the peace plan. On Thursday, 29 April, they were informed that the Bosnian Serb decision to hold a referendum had been superseded by a decision to hold a fresh meeting on Wednesday, 5 May. They were also informed of the decision of the Serbian and Montenegrin Parliaments to support the three presidents. In the light of these developments, the Co-Chairmen, Cyrus Vance and Lord Owen, together with Co-Chairman-designate, Mr. Thorvald Stoltenberg, decided to convene a meeting, starting on Saturday, 1 May, in Athens, with the generous hospitality of Prime Minister Mitsotakis. The following agreed to attend:

- President A. Izetbegovic (Bosnia and Herzegovina)

- President F. Tudjman (Croatia)

- President D. Cosic (Federal Republic of Yugoslavia (Serbia and Montenegro))

- President S. Milosevic (Serbia)

- President M. Bulatovic (Montenegro)

- Mr. M. Boban

- Dr. R. Karadzic

The meeting will begin on Saturday evening, 1 May, and the Co-Chairmen will report separately on it.

II. THE SITUATION IN THE UNITED NATIONS PROTECTED AREAS IN CROATIA

13. In its resolution 802 (1993), adopted on 25 January 1993 in the wake of the 22 January military incursion by Croatia into part of a pink zone and a UNPA around the Maslenica bridge, the Security Council demanded the immediate cessation of hostile activities by Croatian armed forces and the withdrawal of the Croatian armed forces from these areas. The Security Council also demanded that the heavy weapons seized by the Serbs from the UNPROFOR-controlled storage areas in the wake of the Croatian incursion be returned immediately to UNPROFOR.

14. By its resolution 807 (1993), of 19 February, the Security Council reiterated these demands and urged the parties and others concerned fully to cooperate with the Co-Chairmen in discussions to ensure full implementation of the United Nations peace-keeping mandate in Croatia.

15. At the conclusion of negotiations conducted under the auspices of the Co-Chairmen from mid-February, successively in New York, Geneva, Zagreb, Belgrade, New York and Geneva, on 6 April, an agreement in implementation of Security Council resolution 802 (1993) was signed by a representative of the Croatian Government and a representative of the Serb local authorities. The agreement provides for a cessation of hostilities four days after its entry into force. Within five days of the cessation of hostilities, the Croatian armed forces should start returning to the lines of confrontation existing before the outbreak of hostilities on 22 January and complete this return within a further five days. In parallel to the withdrawal of the Croatian government armed forces, all Serb heavy weapons (i.e., not only those seized from UNPROFOR control after 22 January) are to be placed under the supervision of UNPROFOR in accordance with the Vance plan. The Maslenica bridge, Zemunik airport and the Peruca dam are to be placed under complete UNPROFOR control for the purpose of restoring them to general civilian use.

16. Under the agreement, the parties undertake to commence talks under the auspices of the Co-Chairmen, no later than 15 days after its entry into force (i.e., just after the completion of implementation of the military provisions), and to implement the remaining provisions of the Vance plan and of all relevant Security Council resolutions, including 762 (1992).

17. The agreement provided that it would enter into force when both parties have assured the Co-Chairmen that neither of them will station any police within any area from which Croatian government armed forces withdraw; in those areas, UNPROFOR shall for the time being exclusively fulfil all police functions. The Croatians orally gave that assurance at the time of signature; the Serb assurance requires the approval of their Assembly. That approval has so far not been forthcoming and further talks took place in Geneva with Serb representatives on Friday, 30 April. Additional meetings are planned to take place next week. Some of the related issues between Serbia and Croatia may be discussed in the margins of the Athens meeting.

III. THE DIFFERENCE BETWEEN THE REPUBLIC OF GREECE AND THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

18. On 12 and 13 April, the Co-Chairmen held discussions in New York with delegations from the Former Yugoslav Republic of Macedonia and from Greece. Between 14 and 25 April, technical work was carried out among legal experts from the secretariat of the International Conference on the Former Yugoslavia and the two delegations with a view to preparing a draft agreement for consideration. Additionally, Lord Owen, accompanied by Mr. Vance's Special Adviser, held talks with the parties in their capitals. The Co-Chairmen had further discussions with delegations from the Former Yugoslav Republic of Macedonia and from Greece from 26 to 29 April. Information on these discussions will be contained in a separate report from the Co-Chairmen to the Secretary-General as soon as they are ready to make a final report.

IV. SUCCESSION ISSUES

19. At the request of the Chairman of the Conference's Working Group on Succession Issues, and with a view to settling relations among the successor Republics in the former Yugoslavia, the Co-Chairmen, on 20 April 1993, submitted a request to the Conference's Arbitration Commission for an advisory opinion on the following six questions:

1. In the light of the inventory in the report by the Chairman of the Working Group on Economic Issues, what assets and liabilities should be divided between the successor States to the former Socialist Federal Republic of Yugoslavia during the succession process?

2. On what date(s) did succession of States occur for the various States that have emerged from the Socialist Federal Republic of Yugoslavia?

3. (a) What legal principles apply to the division of State property, archives and debts of the Socialist Federal Republic of Yugoslavia in

connection with the succession of States when one or more of the parties concerned refuse(s) to cooperate?

(b) In particular, what should happen to property

- not located on the territory of any of the States concerned, or

- situated on the territory of the States taking part in the negotiations?

4. Under the legal principles that apply, might any amounts owed by one or more parties in the form of war damages affect the distribution of State property, archives and debts in connection with the succession process?

5. (a) In view of the dissolution of the Socialist Federal Republic of Yugoslavia, is the National Bank of Yugoslavia entitled to take decisions affecting property, rights and interests that should be divided between the successor States to the Socialist Federal Republic of Yugoslavia in connection with the succession of States?

(b) Have the central banks of the States emerging from the dissolution of the Socialist Federal Republic of Yugoslavia succeeded to the rights and obligations of the National Bank of Yugoslavia deriving from international agreements concluded by the latter, in particular the 1988 Financial Agreement with (the) (foreign) commercial banks?

6. (a) On what conditions can States, within whose jurisdiction property formerly belonging to the Socialist Federal Republic of Yugoslavia is situated, oppose the free disposal of that property or take other protective measures?

(b) On what conditions and under what circumstances would such States be required to take such steps?